

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**NYSHIANA S. MARTIN,**

**Plaintiff,**

**v.**

**NANCY A. BERRYHILL,<sup>1</sup>  
Acting Commissioner of the Social  
Security Administration,**

**Defendant.**

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**CIVIL ACTION**

**NO. 16-2630**

**ORDER**

**AND NOW**, this \_27th\_\_\_\_ day of February, 2018, upon careful consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review (Doc. 9), Defendant's Response (Doc. 10), Plaintiff's Reply (Doc. 11), and the Report and Recommendation of United States Magistrate Judge David R. Strawbridge (Doc. 14), **IT IS HEREBY ORDERED AND DECREED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Plaintiff's request for review is **GRANTED** and the matter is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further administrative proceedings; and
3. The Clerk of Court shall mark the above-captioned matter as **CLOSED** for statistical purposes.

**BY THE COURT:**

**/s/ Petrese B. Tucker**

**Hon. Petrese B. Tucker, U.S.D.J.**

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<sup>1</sup> Nancy A. Berryhill became the Acting Commissioner of Social Security on January 23, 2017. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Ms. Berryhill should be substituted for the former Acting Commissioner, Carolyn Colvin, as the defendant in this action. No further action need be taken to continue this suit. *See* 42 U.S.C. § 405(g) (last sentence).